

LATECOMER AGREEMENT APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS

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This document is intended to help an owner better understand what is expected in preparing the application to request a utility latecomer's agreement. Refer to Renton Municipal Code (RMC) for more information.

Specific Code Section(s) related to this document

[CH 4-6 RMC](#) Street and Utility Standards
[CH 4-8 RMC](#) Permits – General and Appeals
[CH 9-5 RMC](#) Utility and Street Latecomer's Agreements

[CH 35.91 RCW](#) Municipal Water and Sewer Facilities Act
[CH 35.72 RCW](#) Contracts for Street, Road, and Highway Projects

Latecomer agreements allow a property owner who has installed utility or street improvements to recover a portion of the costs of those improvements from other property owners who may later take direct benefit from the installed infrastructure when the installation of the infrastructure is required by the City's street and utility standards as a prerequisite to further property development or direct benefit thereof by connection.

Improvements eligible for recovery costs include:

- Water Mains
 - Water Service Lines (from main to meter)
- Wastewater Mains
 - Sewer Stubs (line between sewer main and property line)
- Stormwater Mains
- Street Improvements
- Signalization
- Street Lighting

Improvements NOT eligible for recovery costs include:

- Water Meters
- Side Sewers (private service line from sewer stub to house)

Costs eligible for recovery costs include:

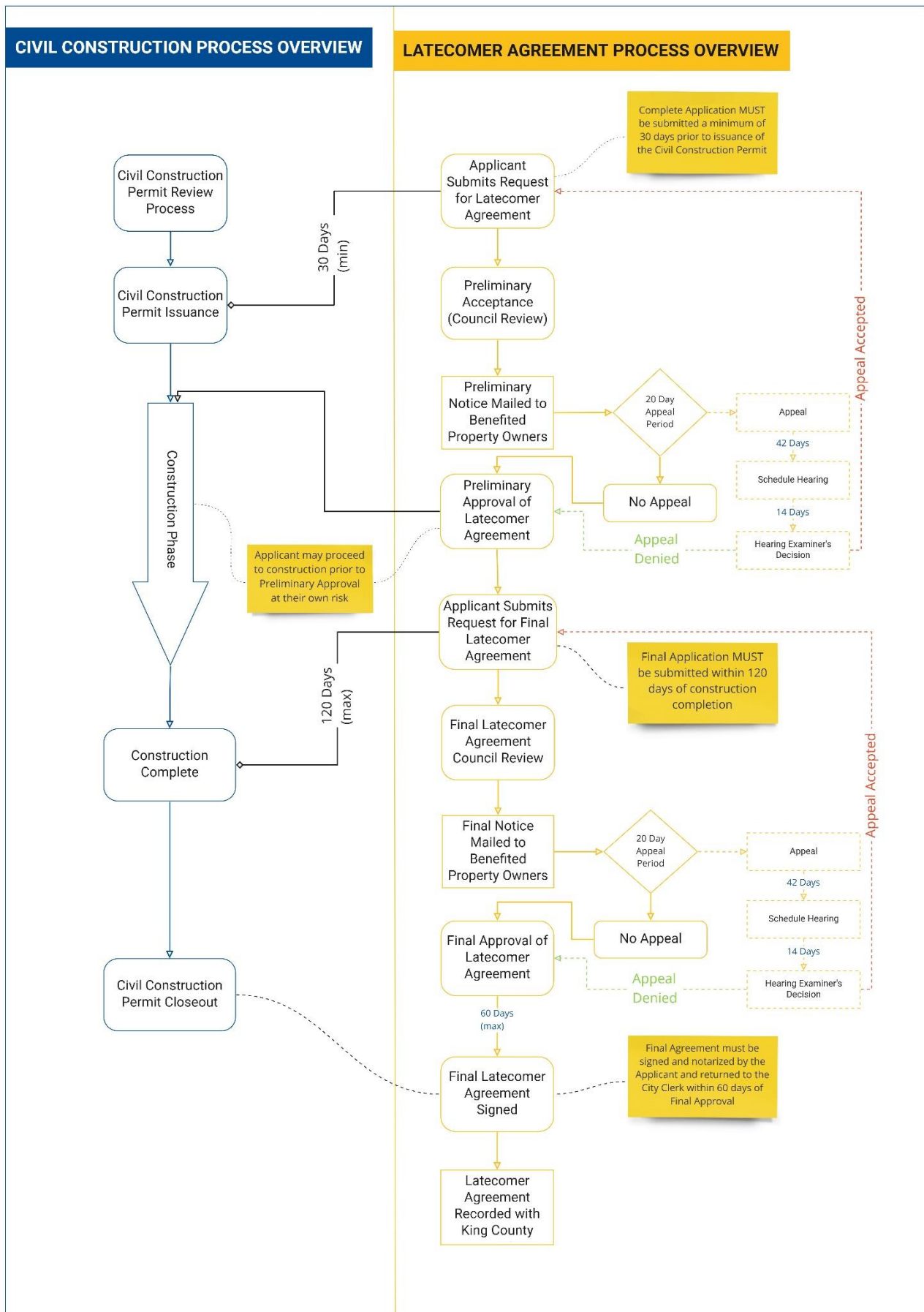
- Construction Costs
- Engineering Design Costs
- City Permit Fees
- Washington State Sales Tax

Costs NOT eligible for recovery costs include:

- System Development Charges (SDC Fees)
- Special Assessment District Charges (SAD Fees)

Section I: Utility Latecomer Agreement Flow Chart and Review Process

The review and approval process for a Utility Latecomer Agreement is summarized on the flow chart below and further explained in subsequent pages. The process for obtaining a Latecomer Agreement must be completed along with the Civil Construction Permit review, approval, and construction processes.



Step 1: Schedule the Intake Meeting

The processing of the Latecomer Agreement will require significant coordination with the review and approval of the associated Civil Construction Permit. The intake meeting for the Latecomer Agreement is initiated by contacting the City Development Engineer assigned to the project (this will be the same as the City Development Engineer reviewing the Civil Construction Permit).

The Latecomer Agreement Request **MUST** be submitted a minimum of 30 days prior to **ISSUANCE** of the Civil Construction Permit. No requests for a Latecomer Agreement will be accepted after the Civil Construction Permit has been issued.

Note: The Applicant has the option to schedule an informal pre-screen meeting prior to preparing the submittal package for the latecomer agreement. Applicants should coordinate with the assigned City Development Engineer to determine if a pre-screen meeting is appropriate for their project. One complete electronic copy (.pdf format) of the application package (including all submittal items) is required for informal review by the City. Please allow approximately 30 minutes for the application screening.

Step 2: Intake Meeting

At the intake meeting, the City Development Engineer will confirm that the submittal includes all required information for the off-site improvements under consideration for latecomer recovery.

The following items are all required in order for the submittal to be deemed complete:

- Completed Latecomer Agreement Request Application, accepted/signed by the Development Engineer
- Set of Civil Plans for the off-site improvements under consideration for latecomer recovery
- Electronic Copy (.xlsx format) of the Bond Quantity Worksheet completed with the quantities and costs of all improvements under consideration for latecomer recovery
- Legal description of applicant's property
- Legal description of each of the benefited properties
- List of King County tax account numbers (PID#s) for the benefited properties (.xlsx or .csv format)
- Vicinity map of applicant's property, benefiting properties, including parcel numbers, and the location of

the improvement, must meet King County Recording Standards

If the submittal is deemed complete, then the initial Latecomer Agreement Processing Fees are to be paid prior to the City accepting the submittal for review. These fees are outlined in the City's Current Fee Schedule. You may call (425) 430-7266 if you have questions regarding the processing fees.

If the City determines the applicant has not provided a complete submittal or if the application does not meet the criteria outlined in City Code, the submittal will be returned to them for additional information.

Once the submittal has been deemed complete by the City Development Engineer, the applicant will submit the completed Latecomer Agreement Request, including all required submittal items, and pay the Latecomer Agreement Processing fee, to the City Clerk.

Step 3: City Review Period

Timeline for 1st review: 2 – weeks from Intake.

(Subsequent review timeline: 1- weeks from Intake)

Upon completion of a successful and complete intake, the City has accepted the submitted materials for review and the first review cycle has begun. The City reviewers will evaluate the application for compliance with applicable codes and regulations.

Step 4: Preliminary Acceptance

Once the review is complete, the City Development Engineer will provide any comments and markups to the Applicant.

Minor updates/revisions may be addressed by the Applicant and submitted as a PDF document sent via email to the City Development Engineer.

If, however, comments need to be addressed prior to approval, the City Development Engineer may require a second (or subsequent) review. The Applicant will revise the submittal package and repeat Steps 1 and 2 to resubmit for approval. The City Development Engineer will review and comment as necessary, repeating steps 3 and 4 until all code requirements and comments have been met.

The City Development Engineer will provide an acceptance letter to the applicant. The acceptance letter will outline the method of assessment, the assessment area, and will include the date of the Utility Committee Meeting and the date of the Council Meeting.

Step 5: Preliminary Notice

Begin 20- Day Appeal Period.

Upon approval of the Preliminary Latecomer Agreement by City Council, the City shall mail preliminary notice to all property owners of record within the latecomer's boundary and to the applicant of the Latecomer Agreement.

The preliminary notice will include an approximation of the preliminary assessment, the proposed latecomer's boundary map, conditions to the Latecomer Agreement assigned by the City, and the description of the property owners' rights and options to participate in the utility or street latecomer's agreement.

All Latecomer Agreements are subject to a 20-day appeal period from the date of notice.

Step 6: Appeals

If no appeals are filed, Step 6 is not applicable.

If appeals to the Preliminary Notice are received by the City, the appeals are then read to the City Council. The City Council may request that the appeals be delegated to the Hearing Examiner. Any decisions issued by the Hearing Examiner are subject to a 14-day Reconsideration period where parties of record may request a reconsideration of the decision.

If the appeal is accepted by the Hearing Examiner, the applicant will be required to revise the latecomer boundary and update/revise all appropriate parts of the latecomer request, as applicable.

If the appeal is denied by the Hearing Examiner, the Preliminary Latecomer Agreement is approved.

Following is a general outline of the timeframe for appeals:

Notice Sent (appeal period begins)	20 days
Appeals (if any) read to Council	14 days
Council Requests Public Hearing	

Hearing Date set by Hearing Examiner	42 days
Hearing Examiner Decision	14 days
Reconsideration	14 days

Reference [RMC 4-8-110 APPEALS](#) for further details on the appeals process.

Step 7: Preliminary Approval

Preliminary approval will be issued by City Council if all conditions outlined in City Code have been met. The preliminary approval will indicate the duration of the Latecomer Agreement, conditions to the Latecomer Agreement assigned by the City, and any additional information to be provided by the applicant prior to final approval.

Step 8: Construction

Once preliminary approval has been issued, the Applicant may proceed to construction.

Note: *The Applicant may proceed to construction prior to Preliminary Approval at their own risk.*

Step 9: Final Latecomer Agreement Submittal

The processing of the Latecomer Agreement will require significant coordination with the closeout process of the associated Civil Construction Permit.

The Final Latecomer Agreement Request MUST be submitted within 120 days after completion and acceptance of the improvements included in the Latecomer Agreement. If the Final Latecomers Agreement is not submitted within the 120-day deadline, then the Latecomers Agreement Request shall be terminated. It is the applicant's responsibility to meet the 120-day deadline. The applicant shall provide a final set of all preliminary submittal documents, noting any changes from the preliminary approval.

The following items are all required in order for the final submittal to be deemed complete:

- Legal description of applicant's property
- Legal description of each of the benefited properties
- List of King County tax account numbers (PID#s) for the benefited properties (.xlsx or .csv format)
- Vicinity map of applicant's property, benefiting properties, including parcel numbers, and the location of

the improvement, must meet County Recording Standards

- Any additional information requested by the City as part of the Preliminary Approval

Step 10: City Review Period

Timeline for 1st review: 2 – weeks from Intake.

(Subsequent review timeline: 1- weeks from Intake)

Upon completion of a successful and complete intake of the submitted materials, the first review cycle will begin. The City reviewers will evaluate the application for compliance with applicable codes and regulations.

Step 11: Final Acceptance

Once the review is complete, the City Development Engineer will provide any comments and markups to the Applicant.

The City Development Engineer will provide an acceptance letter to the applicant. The acceptance letter will outline the method of assessment, the assessment area, and will include the date of the Utility Committee Meeting and the date of the Council Meeting.

Step 12: Final Notice

Begin 20- Day Appeal Period.

Upon approval of the Final Latecomer Agreement by City Council, the City shall mail final notice to all property owners of record within the latecomer's boundary and to the applicant of the Latecomer Agreement.

The final notice will include an approximation of the final assessment, the proposed latecomer's boundary map, conditions of the Latecomer Agreement assigned by the City, and the description of the property owners' rights and options to participate in the utility or street latecomer's agreement.

All Latecomer Agreements are subject to a 20-day appeal period from the date of notice.

Step 13: Appeals

If no appeals are filed, Step 13 is not applicable.

If appeals to the Final Notice are received by the City, the appeals are then read to the City Council. The City Council may request that the appeals be delegated to the Hearing Examiner. Any decisions issued by the Hearing Examiner are subject to a 14-day reconsideration period where parties of record may request a reconsideration of the decision.

If the appeal is accepted by the Hearing Examiner, the applicant will be required to revise the latecomer boundary as applicable.

If the appeal is denied by the Hearing Examiner, the Final Latecomer Agreement is approved.

The general outline of the timeframe for appeals to the final notice is the same as for the preliminary notice.

Step 14: Final Approval

Final approval will be issued by City Council if all conditions outlined in City Code have been met. The final approval will authorize signature of the Final Latecomer Agreement by the Applicant, Mayor and City Clerk.

The final Latecomer Agreement is mailed to the Applicant. It must be signed by the Applicant/Owner and returned to the City Clerk within 60 days from the date of Council Approval. If the Final Latecomer Agreement is not signed and returned within the 60-day period, the Latecomer Agreement will become null and void. The fully executed Latecomer Agreement will be recorded with the King County Recorder. Once recorded, the Latecomer agreement shall be binding on the property owners of record within the Latecomer Boundary.

Section II: Resources

Additional Resources and City Standards
[Civil Construction Permit Process and Submittal Requirements](#)
[City of Renton Standard Details](#)
[City of Renton Fee Schedule](#)

[Civil Construction Permit Final Inspection and Construction Closeout Process and Submittal Requirements](#)
[Electronic File Standards](#)

Definitions

Applicant

Owner of the developing property to which the Latecomer Agreement is being requested.

Adjacent

Abutting on public roads, streets, right-of-way or easements in which street improvements are installed or directly connecting to street system improvements through and interest in real property such as an easement or license.

Assessment

An equitable pro-rata charge to be paid by an owner of a property within the latecomer boundary area for the cost of private construction of public street and/or utility system improvements.

Benefitting Property

Real property adjacent to street system improvements or likely to require direct connection to, or service by, utility system improvements constructed by a developer, including the developing properties requesting the latecomer agreement.

Construction Costs

Direct construction costs, including but not limited to relocation and/or new construction of street and/or utility system improvements.

Developer

The individual or entity that contracts with the City for the construction of street and/or utility system improvements, where such improvements are a requirement for development of real property owned by such entity or individual.

Direct Connection

A service connection, to be owned and maintained by the property owner, from existing or new utility improvements (i.e. water system taps, side sewer connections, stormwater connections, including, but not limited to, tight line, down spout and roof leader service connections to storm mains for the conveyance of site specific stormwater).

Latecomer Agreement

A written contract between the City and one or more developers providing partial reimbursement for the cost of construction of street system improvements and/or utility system improvements to the developer by owners of benefitting properties who did not contribute to the original cost of construction.

Latecomer Boundary Area

That area which includes all parcels of real property adjacent to street system improvements or likely to require direct connection to, or service by, utility system improvements constructed by a developer, including the developing properties requesting the latecomer agreement.